

## **REMARKS/ARGUMENTS**

In response to the Notice of Non-Compliant Amendment of June 2, 2008, the corrected amendment is refiled herewith in the form of a Substitute Specification, along with a marked-up version showing the changes made, which are marked as such, in order to avoid any future similar problems with the text. The WIPO publication was inadvertently filed as the application in the 371 filing instead of the retyped, but otherwise identical application. This Substitute Specification is submitted to prevent errors in further prosecution.

The headings in the Preliminary Amendment filed with the application have been included in the Substitute Specification, but with the heading, "DESCRIPTION OF AN EMBODIMENT" having been replaced with ---DETAILED DESCRIPTION OF THE INVENTION AND DRAWINGS---. Additions made at the end of the original text in the prior response have been directly added to and incorporated in the Substitute Specification. All such additions, having been made at the end of the original text (and the aforementioned heading change), are believed to not necessitate the submission of a marked up version of the specification, showing changes.

In response to the Notice of Notice of Non-Compliant Amendment, the Substitute Specification includes proper placement of the Amendments as made in the initial Response to the Office Action mailed July 5, 2007, which Response was filed November 5, 2007.

Claims 1-5 are in the application.

The objection to the drawing based on reference characters not being included in the description has been obviated with the required inclusion of such reference characters in the text of the specification. No corrected drawings are accordingly required. No new matter is included thereby since the reference numbers were in the claims as originally filed.

Claims 1-5 were rejected in the Official Action under 35 U.S.C. § 112, first paragraph as failing to comply with the enabling requirement, particularly since elements in the claims were asserted as not being found in the specification. Because of unclear language the claims were not examined on their merits.

In response thereto, with the above amendment, as incorporated in the Substitute Specification, the claims have been incorporated *in toto* into the specification with detailed references to the drawings for all of the elements contained therein. No new matter has been

added thereby with only descriptions as contained in the original claims as filed (as basis for reference number attribution) and the drawings. Features such as the meaning of the term “transverse” specifically referred to by the Examiner have been explained as a function dictated by the structure shown by the drawing and this does not constitute new matter.

Entry of the Substitute Specification with amendments is appropriate and is respectfully requested. With such entry, the claims are fully supported by the specification and drawings (which is part of the specification) and the Examiner is requested to review and withdraw the rejection of the claims based on 35 U.S.C. § 112, first paragraph. The Examiner is further requested, in view of the claims being clarified, as required, to examine the claims on the merits, and, in the absence of relevant prior art, to allow the application.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE PATENT AND  
TRADEMARK OFFICE EFS FILING  
SYSTEM ON JUNE 12, 2008.

RCF:mjw

A handwritten signature in black ink, appearing to read "Robert C. Faber", is written over a horizontal line.

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